

REMARKS

Claims 1-29 are pending. Claims 24-28 have been amended to overcome the 35 USC 101 rejection. No new matter has been presented.

Claims 24-28 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter. This rejection is overcome by the foregoing amendments.

Claims 1-2, 7-8, 13, 18-19, 24-25 and 29 are rejected under 35 USC 103(a) as being unpatentable over Graham, U.S. Patent No. 5,821,915 in view of Pellar, U.S. Patent No. 4,196,451. This rejection is respectfully traversed.

The Examiner admits that Graham fails to teach generating an output document using a new dither pattern having a different screen angle from among a plurality of alternatives, but asserts that Pellar teaches selection of a new dither pattern having a different screen angle from among a plurality of alternatives. The Examiner asserts that it would have been obvious to have modified Graham in view of Pellar to reduce Moiré pattern effects.

Applicant previously explained that even if the cited references were combined, the combination would still fail to teach the claimed invention. Specifically, Applicant pointed out that Pellar does not teach or suggest that the screen angle of the original image is referenced to control the screen angle of the dot pattern.

In response to this argument, the Examiner responded by stating that one cannot show non-obviousness by attacking references individually where the rejection is based on a combination of the references. The Examiner also stated that the feature of referencing the original image screen angle is taught by Graham. Applicant respectfully disagrees.

Claim 1 recites "a set up unit selecting from a plurality of dither patterns a dither pattern with a screen angle different from the detected screen angle and setting up the dither pattern." Applicant submits that neither of the cited references teaches or suggests this feature.

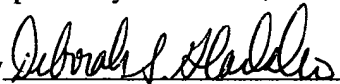
At most, Graham teaches finding the halftone angle in Figs. 5-9. Graham teaches that the Find Halftone Angle process 21 determines the halftone angle by simulating the re-scan of the image at various scan angles until a repeating pattern is detected (col. 7, lines 32-35). The halftone period is then determined and after the halftone angle and halftone period are determined, Graham teaches that a subroutine is executed to remove the artifacts from the halftone image data (col. 9, lines 16-19). But, Graham does not disclose or suggest selecting a dither pattern, from a plurality of dither patterns, with a screen angle different from the detected screen angle and setting up the dither pattern, as suggested by the Examiner. Thus, since neither Pellar nor Graham teaches or suggests this feature, the rejection of claim 1 should be withdrawn.

The remaining independent claims are allowable for the same reason claim 1 is allowable. The dependent claims are allowable at least due to their respective dependencies. Applicant requests that this rejection be withdrawn.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 325772012000.

Dated: November 18, 2005

Respectfully submitted,

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